THE HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.19934 of 1993

26th day of September, 2005

Between:

P. Nooka Raju, s/o. Ramakrishnamma,

Age: 45 years, Community Health Worker,

P.H.C., Kandrakota, Peddapuram Mandal.

and 3 others … **Petitioners**

and

The Joint Secretary to the Government of India,

Ministry of Health & Family Welfare,

Family Welfare Department, Nirman Bhavan,

Newl Delhi, and three others … **Respondents**

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ORDER:

This writ petition is filed seeking to declare that the recommendation made by the second respondent to the first respondent, through the proceedings dated 22-11-1993 to disband the Village Health Guide Scheme is illegal and arbitrary.

The petitioners contend that the Government of India introduced a Scheme in the year 1977 in the name and style of Community Health in Rural Villages. The petitioners were appointed as Community Health Workers on an honorarium of

Rs.50/- per month. They were continuing in the same post by working as per the guidelines under the scheme. The second respondent addressed a letter to the first respondent on

22-11-1993 recommending to disband the scheme.

The petitioners being aggrieved by the said recommendation of the second respondent approached this Court through this writ petition seeking to declare the action of the second respondent as illegal and arbitrary.

The scheme was introduced by the first respondent.

The second respondent has no competence to abolish the scheme. The recommendation, if any, has to be accepted by the first respondent. The petitioners did not place any material to show whether the recommendation made by the State Government was accepted by the first respondent and whether the scheme was abolished. In the absence of such material, no prejudice can be said to be caused to the petitioners on account of the letter written by the second respondent to the first respondent. Since the mere recommendation of the second respondent will not automatically result in abolition of the scheme, there is no cause of action for the petitioners to file the writ petition.

The writ petition is accordingly dismissed. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 26th September, 2005

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